

R E M A R K S

Claims 1-15 are pending in the application. Applicants amend claims 1, 3, 6, 8, 11, and 13 for clarification, and refer to page 32, line 10 to page 33, line 18 in the specification for an exemplary embodiment of and support for the claimed invention. No new matter has been added.

Claims 3-4, 8-9, and 13-14 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

The Examiner objected to “the selected devices” for lacking sufficient antecedent basis. Applicants amend claims 3, 8, and 13 to recite “the selected device” for proper antecedent basis, and respectfully request that the Examiner withdraw the § 112, ¶ 2 rejection.

Claims 1, 6, and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatenable over U.S. Patent No. 6,785,730 to Taylor in view of U.S. Patent No. 5,491,693 to Britton et al. and U.S. Patent No. 6,292,489 to Fukushima et al.; claims 2, 5, 7, 10, 12, and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatenable over Taylor, Britton et al., Fukushima et al., and further in view of U.S. Patent No. 5,687,167 to Bertin et al.; and claims 3-4, 8-9, and 13-14 stand rejected under 35 U.S.C. § 103(a) as being unpatenable over Taylor, Britton et al., Fukushima et al., and further in view of U.S. Patent No. 6,275,470 to Ricciulli. Applicants amend claims 1, 6, and 11 in a good faith effort to clarify the invention as distinguished from the cited references, and respectfully traverse the rejections.

The Examiner maintained that the WAP translation described in Taylor is sufficient suggestion of the claimed service mapping features, relied upon Britton et al. as a combining reference to suggest “[providing] connection[s] between different protocols, wherein the gateway calculates a route to the destination,” and relied upon Fukushima et al. as a further

combining reference to suggest “setting control parameters in network devices.” Page 5,

lines 1-11 of the Office Action.

Again, the cited portions of Taylor only include description of a protocol translator for translating messages to and from devices, such as wireless devices, between protocols, such as the WAP. Such portions of Taylor include description of determining a source protocol, a target device, and an associated target protocol, and translating a message accordingly. Thus, Taylor, as cited and relied upon by the Examiner, fails to disclose or suggest the claimed features with respect to a second device, which does not support a protocol of a network service request, being controlled and allowed to provide a network service corresponding to network service provided by a first device that responds to the request. Again, the Examiner relied upon Britton et al. as a combining reference to suggest “[providing] connection[s] between different protocols, wherein the gateway calculates a route to the destination,” and relied upon Fukushima et al. as a further combining reference to suggest “setting control parameters in network devices.” As such, these references, as cited and relied upon by the Examiner, also fail to disclose or suggest the above-described claimed features.

Furthermore, the Examiner relied upon Britton et al. as a reference that allegedly suggests the claimed feature of “calculating an IP route,” but the reference, as cited, fails to suggest the claimed route calculating features.

Britton, as cited and relied upon by the Examiner, describe a procedure to transmit a BLU packet from a MPTN-GW to a destination that does not support a MPTN. Fig. 2 of Britton illustrates functional blocks of a MPTN-GW and an exemplary case using OSI, TCP, SNA, and NetBIOS as protocols of a transport layer. Fig. 1 thereof shows a configuration that interconnects a MPTN-GW with MPTN Nodes and Native Nodes. Thus, Britton describes a method in which a MPTN-GW transmits a BLU even when the destination does not support a MTPN by using the function of a transport layer equipped in the MPTN-GW, as

shown in Fig. 2. Col. 7, lines 15-24 of Britton, which was cited by the Examiner, includes description of search based routing, with examples of search based providers such as SNA and NetBIOS, where a search is conducted to find destinations without having a routing table, and a route is calculated after a destination is found. Thus, such portion of Britton does not include any disclosure or suggestion of the claimed route calculation from a pair of an IP source address (SA) and IP destination address (DA), a relay router that constitutes an IP network, a connection relation of the relay router (topology information), and routing information

Therefore, even assuming, arguendo, that it would have been obvious to one skilled in the art at the time the claimed invention was made to combine Taylor, Britton et al., and Fukushima et al. such a combination would still have failed to disclose or suggest,

“[a] service allocating device in a network where at least one first device which responds to a network service request transmitted by a user in a protocol associated with the first device and at least one second device which does not support the protocol of the network service request are connected and said second device having a setting of which can be modified from outside said second device, comprising:

a network information collecting section for obtaining information about a network service provided by the first device, responsive to the network service request, by communicating with said first device;

a setting device determining section for specifying the second device, which does not support the protocol of the network service request, by calculating an IP route for providing the network service to the user based on information from the network information collecting section, wherein the IP route is from an IP source address (SA) to an IP destination address (DA) and the IP route is calculated from a pair of the SA and DA, a relay router that constitutes an IP network, a connection relation of the relay router (topology information), and routing information;

a service mapping section for mapping network service parameters for setting priority-based control and routing information to be set into parameter values corresponding to the second device specified by the setting device determining section; and

a service setting section for communicating with the second device and setting the parameter values obtained by the service mapping section in the second device,

thereby said service allocating device responds to the network service request by controlling the parameter values of the second device, allowing the second device to provide a network service corresponding to the network service provided by the first device, according to the network service request received by the first device," as recited in claim 1. (Emphasis added)

Accordingly, Applicants respectfully submit that claim 1 is patentable over Taylor, Britton et al., and Fukushima et al., separately and in combination, for at least the foregoing reasons. Claims 6 and 11 incorporate features that correspond to those of claim 1 cited above, and are, therefore, patentable over the cited references for at least the same reasons. The Examiner relied upon Bertin et al. and Ricciulli as further combining references to specifically address the additional features recited in dependent claims 2-5, 7-10, and 12-15, respectively. As such, the additions of these references would still have failed to cure the above-described deficiencies of Taylor, Britton et al., and Fukushima et al., even assuming, arguendo, that such additions would have been obvious to one skilled in the art at the time the claimed invention was made. Accordingly, Applicants respectfully submit that claims 2-5, 7-10, and 12-15 are patentable over the cited references for at least the foregoing reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

/Dexter Chang/
Dexter T. Chang
Reg. No. 44,071

CUSTOMER NUMBER 026304
Telephone: (212) 940-6384
Fax: (212) 940-8986 or 8987
Docket No.: FUJO 19.189 (100794-00089)
DTC:kc